

Attorney's Docket No.: 06457-007003

**OFFICIAL COMMUNICATION**

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**FOR THE PERSONAL ATTENTION OF:**

**EXAMINER SAMUEL M. HEINRICH**

**U.S. PATENT AND TRADEMARK OFFICE (PATENT)**

**ASSISTANT COMMISSIONER OF PATENTS**

**WASHINGTON, D.C. 20231**

**FAX NO: (703) 872-9306**

Number of pages including this page 29

Applicant : Donald V. Smart

Serial No. : 10/036,431

Filed : January 7, 2002

Art Unit : 1725

Examiner : Samuel M. Heinrich

Confirmation No.: 4687

Notice of Allowance Date: November 26, 2003

**FACSIMILE COMMUNICATION**

Title : LASER PROCESSING

Commissioner for Patents

P.O. Box 1450

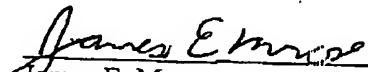
Alexandria, VA 22313-1450

Sir:

Attached to this facsimile communication cover sheet is a Letter to the Examiner, with the enclosures listed thereon, faxed this 20th day of January, 2004, to the United States Patent and Trademark Office.

Respectfully submitted,

Date: January 20, 2004

  
James E. Mrose  
Reg. No. 33,264

Fish & Richardson P.C.  
1425 K Street, N.W., 11th Floor  
Washington, DC 20005-3500  
Telephone: (202) 783-5070  
Fax: (202) 783-2331

NOTE: This facsimile is intended for the addressee only and may contain privileged or confidential information. If you have received this facsimile in error, please immediately call us collect at (202) 783-5070 to arrange for its return. Thank you.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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LETTER TO EXAMINER

The documents attached to this letter were also attached to a letter to the examiner previously transmitted by facsimile. The previously transmitted documents included some copier artifacts on some of their pages, and accordingly applicant is sending these documents again.

At the request of the Examiner, applicant encloses a preliminary amendment filed by applicant on July 22, 2003, and a postcard stamped by the Patent and Trademark Office indicating receipt thereof.

Applicant also encloses information disclosure statements and forms PTO-1449 filed April 8, 2002, April 22, 2002, May 17, 2002, August 30, 2002, and June 13, 2003. Applicant has not received the PTO-1449 forms with the Examiner's initials adjacent to the citations of the references listed thereon.

Applicant asks that the Examiner examine claims 88-107 added by the preliminary amendment filed July 22, 2003, and the references listed on the information disclosure statements and, if all of the claims are found to be allowable, issue a supplemental notice of allowability along with the initialed PTO-1449 forms.

Applicant wishes to inform the Examiner that a parent of the present application, application 09/441,201, now U.S. Patent No. 6,337,462, is in litigation, in which the answer to the complaint includes a general allegation that all of the claims are invalid or unenforceable pursuant to Title 35, including, but not limited to, Sections 101, 102, 103, and/or 112.

Please apply any charges or credits to Deposit Account No. 06-1050.

Applicant : Donald V. Smart  
Serial No. : 10/036,431  
Filed : January 7, 2002  
Page : 2

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Respectfully submitted,

Date: January 19, 2004

James E. Mrose  
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Reg. No. 33,264

Fish & Richardson P.C.  
1425 K Street, N.W.  
11th Floor  
Washington, DC 20005-3500  
Telephone: (202) 783-5070  
Facsimile: (202) 783-2331

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